

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 370 be amended to read as follows:

- 1 Page 2, line 35, delete "(or a rating".
- 2 Page 2, line 36, delete "organization making the filing for a
- 3 company)".
- 4 Page 2, line 37, delete "issuing a title policy," and insert "**the**
- 5 **proposed effective date of the filing,**".
- 6 Page 3, between lines 1 and 2, begin a new line blocked left and
- 7 insert:
- 8 "**If the commissioner does not, within a thirty (30) day waiting**
- 9 **period beginning on the date of filing, disapprove a filing made**
- 10 **under this subsection, the filing is considered approved.**".
- 11 Page 3, line 8, delete "." and insert ";
- 12 **in accordance with subsection (f).**
- 13 **(f) A rating organization that makes a filing described in**
- 14 **subsection (e) shall, at least thirty (30) days before the proposed**
- 15 **effective date of the filing, file with the commissioner for review**
- 16 **and approval or disapproval all of the following that the company**
- 17 **proposes to use, including the proposed effective date and an**
- 18 **indication of the character and extent of the coverage**
- 19 **contemplated:**
- 20 **(1) The form of a title policy, endorsement, manual, rating**
- 21 **schedule or rating plan, and other rating rule.**
- 22 **(2) A modification of any filing described in subdivision (1)."**
- 23 Page 3, delete lines 9 through 11, begin a new paragraph and insert:
- 24 **"(g) The commissioner shall, within a thirty (30) day waiting**

period beginning on the date of filing, approve or disapprove a filing made under subsection (f). However, the commissioner may do the following:"

Page 3, line 12, delete "person" and insert "rating organization".

Page 3, line 16, delete "person" and insert "rating organization".

Page 3, line 18, delete "person" and insert "rating organization".

Page 3, line 19, delete "authorize" and insert "approve".

Page 3, delete lines 23 through 30, begin a new paragraph and insert:

"(h) If the commissioner, during a waiting period described in subsection (g), determines that a filing made by a rating organization under this section:

(1) meets the requirements of this chapter, the commissioner shall approve the filing and send to the rating organization written notice of the approval; or

(2) does not meet the requirements of this chapter, the commissioner shall disapprove the filing and send to the rating organization written notice of the disapproval, including the following:

(A) The notice must specify the manner in which the filing does not meet the requirements of this chapter.

(B) The notice must specify that the filing will not become effective."

Page 3, line 31, delete "(h)" and insert "(i)".

Page 3, line 31, delete "the applicable waiting" and insert "approval under subsection (d), (g), or (h)".

Page 3, line 32, delete "period described in subsection (f)".

Page 3, line 40, delete "(i)" and insert "(j)".

Page 3, line 41, delete "(h)" and insert "(i)".

Page 4, line 2, delete "(j)" and insert "(k)".

Page 4, line 3, delete "(d)(1) or (d)(2)" and insert "(d) or (f)".

Page 4, line 5, delete "(k)" and insert "(l)".

Page 4, line 6, delete "(h)" and insert "(i)".

Page 4, line 8, delete "(h)," and insert "(i)".

Page 4, line 11, delete "(l)" and insert "(m)".

Page 4, line 16, delete "company" and insert "person making the filing".

Page 4, line 18, delete "(f)" and insert "(d) or (g)".

Page 4, line 20, delete "(m)" and insert "(n)".

Page 4, line 20, delete "(l)" and insert "(m)".

Page 4, line 30, delete "(n)" and insert "(o)".

Page 4, line 30, after "After" insert "approval of".

Page 4, line 30, delete "becomes effective," and insert "under subsection (d), (g), or (h)".

(Reference is to ESB 370 as printed March 22, 2013.)

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Representative Lehman